

An Act

ENROLLED HOUSE
BILL NO. 1408

By: Culver of the House

and

Gollihare of the Senate

An Act relating to public health and safety; creating the First Responders Job Protection Act; defining terms; requiring first responders to report passive drug exposure; requiring reports of passive drug exposure be provided to medical review officer; providing for codification; and providing an effective date.

SUBJECT: Public health and safety

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-539.11 of Title 63, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "First Responders Job Protection Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-539.12 of Title 63, unless there is created a duplication in numbering, reads as follows:

As used in this section:

1. "Controlled dangerous substance" means a drug, substance or immediate precursor in Schedules I through V of the Uniform Controlled Dangerous Substances Act or any drug, substance or

immediate precursor listed either temporarily or permanently as a federally controlled substance;

2. "First responder" means an individual who performs emergency medical services on scene in accordance with the Oklahoma Emergency Response Systems Development Act and rules of the State Board of Health promulgated thereto;

3. "Passive exposure" means when an individual is exposed to a controlled dangerous substance without actually ingesting or using the substance himself or herself; and

4. "Volunteer" means a person who enters into a service or undertaking of the person's free will without compensation or expectation of compensation in money or other thing of value in order to provide a service, care, assistance, advice, or other benefit; provided, being legally entitled to receive compensation for the service or undertaking performed shall not preclude a person from being considered a volunteer.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1-539.13 of Title 63, unless there is created a duplication in numbering, reads as follows:

A. The first responder or volunteer first responder subject to drug testing shall verbally report, to the first responder's agency or private employer prior to testing, any specific known potential passive exposure to any controlled dangerous drug that has occurred in the previous fourteen (14) days while responding to an emergency.

B. In the event of a positive drug test, the medical review officer shall be provided with documentation of the verbal report and a subsequent written report provided by the responding agency in order to rule out passive exposure.

SECTION 4. This act shall become effective November 1, 2023.

Passed the House of Representatives the 6th day of March, 2023.

Lammy Neat
Presiding Officer of the House
of Representatives

Passed the Senate the 20th day of April, 2023.

Darcy Feen.
Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 24th
day of April, 20 23, at 4:23 o'clock p. M.
By: Sumner Curry

Approved by the Governor of the State of Oklahoma this 28th
day of April, 20 23, at 10:41 o'clock a. M.

K. St.
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 28th
day of April, 20 23, at 2:19 o'clock P. M.
By: Brian Blum